

Message Text

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EO 11652: N/A

TAGS: BGEN, PO

SUBJECT: NEW PORTUGUESE FOOD LABELING REGULATIONS

REF: STATE 124349

ANSWERS TO POINTS RAISED IN REFTEL FOLLOW.

1. COMPLAINT APPEARS EXAGGERATED. REGULATIONS TO BECOME EFFECTIVE AUGUST 1973 SHOULD NOT IMPEDE ABILITY U.S. PRODUCERS TO EXPORT FOOD PRODUCTS TO PORTUGAL.

2. EMBASSY CHECK WITH GIBBON'S LISBON AGENT SHOWED AGENT HAD MADE CURSORY INQUIRY INTO REGULATIONS. LAW DOES NOT REQUIRE IMPORTED FOOD PRODUCTS BE LABELED AT TIME OF IMPORT. RELABELING IN PORTUGAL IS PERMITTED. USE OF CERTAIN EXPRESSIONS SUCH AS "FORTIFIED", "ENRICHED", "INVIGORATING", "TONIC", "PURE" AND "NATURAL" REQUIRES PRIOR AND SPECIFIC GOP AUTHORIZATION. VITAMIN CLAIMS ALSO REQUIRE AUTHORIZATION.

3. VALIDITY REQUIREMENT IS COMPULSORY FOR PERISHABLE PRODUCTS ONLY. GOP HAS NOT YET DEFINED WHAT CONSTITUTES "PERISHABLE" PRODUCT BUT IS WORKING TO PRODUCE LEGISLATION THIS SUBJECT. IN ABSENCE DEFINITION, LABELING LAW IS MOOT ON SHELF LIFE ISSUE. WITH RESPECT PROBLEMS OF AUTOMATED PRODUCTION LINES, SOME U.S. FIRMS ALREADY PRINTING DUAL OR MULTILINGUAL LABELS SO

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GIBBON'S COMPLAINT PERHAPS NOT UNIVERSAL.

4. PORTUGUESE FOOD LABELING REGULATIONS APPLY EQUALLY TO DOMESTIC AND IMPORTED PRODUCTS. RELABELING AFTER IMPORT SATISFIES REGULATIONS BUT INCREASES IMPORTING AGENT'S COST; THEREFORE AGENT'S INTEREST IS TO SHIFT LABELING EXPENSE TO U.S. PRODUCER.

5. COMMENT: REGULATIONS NOW ON GOP BOOKS ARE STATEMENTS OF PRINCIPLE WHICH REQUIRE DEFINITION IN ORDER TO BECOME ENFORCEABLE. EMBASSY HAS LEARNED THAT INSPECTORATE GENERAL OF AGRICULTURAL AND INDUSTRIAL PRODUCTS IS DRAFTING COMPREHENSIVE FOOD LABELING STANDARDS PATTERNED AFTER THOSE PRESENTLY IN FORCE IN EEC. GOP STANDARD MAY BE COMPLETED IN TWO OR THREE MONTHS. SINCE REASONABLE TIME NECESSARY TO ALLOW FOOD PACKAGERS TO CONFORM THEREAFTER, IMPORTERS AND LOCAL PACKERS ALREADY PRESSING GOP FOR EXTENSION AUGUST DEADLINE. THEY FEEL CHANCES EXTENSION WILL BE GRANTED ARE GOOD. MORE DETAILED AIRGRAM THIS SUBJECT BEING POUCHED. POST

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